

## REMARKS

This is intended as a full and complete response to the Office Action dated June 22, 2005, having a shortened statutory period for response set to expire on September 22, 2005. Please reconsider the claims pending in the application for reasons discussed below.

### ***Claim Rejections – 35 U.S.C. § 102***

Claims 18 and 19 stand rejected under 35 U.S.C. § 102(b) as being anticipated by *Mercier*. In response, Applicant has canceled these claims without prejudice thereby obviating the rejection.

### ***Claims Rejections – 35 U.S.C. § 103***

Claims 1-3, 5-7 and 9 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over GB 2092717 (*Weirich*). In response, Applicant respectfully traverses the rejection.

Claim 1 recites that “an area of the valve seat and an area of a portion of the pilot actuator acted on in an axial direction by fluid flowing through the valve seat are substantially the same.” By contrast, *Weirich* illustrates in Figures 1-3 a valve seat area that appears to be larger than an area of a push rod acted on in an axial direction by fluid flowing through the valve seat. This lack of the areas being substantially the same is clearly visible in Figure 1 and also apparent in the schematic Figures 2 and 3 based on the perceptible point of contact of a ball on the valve seat. The specification in *Weirich* is silent regarding the actual relative areas of these features.

Therefore, *Weirich* fails to teach, show or suggest each and every limitation of claim 1 and does not render claim 1 or any claim dependent thereon obvious. Applicant submits that the claims are allowable. Accordingly, Applicant respectfully requests withdrawal of the rejection and allowance of the claims.

Claims 1, 2 and 5-9 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over *Seaney*. In response, Applicant respectfully traverses the rejection.

Claim 1 recites that “an area of the valve seat and an area of a portion of the pilot actuator acted on in an axial direction by fluid flowing through the valve seat are substantially the same.” In contrast, a check valve disclosed in *Seaney* has a poppet with a guide stem (37) that have a larger area than a valve seat (43) and are acted on by fluid flowing through the valve seat. Thus, *Seaney* fails to teach, show or suggest each and every limitation of claim 1 and does not render claim 1 or any claim dependent thereon obvious. Applicant submits that the claims are allowable. Accordingly, Applicant respectfully requests withdrawal of the rejection and allowance of the claims.

Claims 8, 10-17 and 21 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over *Weirich* in view of *Eike*. In response, Applicant respectfully traverses the rejection.

As discussed above regarding claim 1, *Weirich* fails to disclose that an area of the valve seat and an area of a portion of the pilot actuator acted on in an axial direction by fluid flowing through the valve seat are substantially the same, as recited in claims 1 and 10. *Eike* fails to overcome this deficiency in *Weirich*. Specifically, an area of a spool assembly of a control valve disclosed in *Eike* is larger than an area of a valve seat. For the foregoing reasons, *Weirich* in view of *Eike* fails to teach, show or suggest each and every limitation of either claim 1 or claim 10 and does not render these claims or any claims dependent thereon obvious. Accordingly, Applicant respectfully requests withdrawal of the rejection and allowance of the claims.

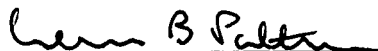
Claims 20 stands rejected under 35 U.S.C. 103(a) as being unpatentable over *Mercier* in view of *Block*. In response, Applicant has canceled these claims without prejudice thereby obviating the rejection.

### **Conclusion**

The secondary references made of record are noted. However, it is believed that the secondary references are no more pertinent to the Applicant's disclosure than the primary references cited in the office action. Therefore, Applicant believes that a detailed discussion of the secondary references is not necessary for a full and complete response to this office action.

The references cited by the Examiner, alone or in combination, do not teach, show, or suggest the invention as claimed. Having addressed all issues set out in the office action, Applicant respectfully submits that the claims are in condition for allowance and respectfully requests that the claims be allowed.

Respectfully submitted,



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